1 WO 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 7 FOR THE DISTRICT OF ARIZONA 8 9 Joseph C. Holmes, No. CV-08-190-PHX-DGC 10 Plaintiff, **ORDER** 11 VS. 12 Russell Barker, a Police Officer for the City of Clinton, Tennessee, et al. 13 Defendants. 14 15 16 On September 19, 2008, the Court issued an order denying Plaintiff's motion for 17 appointment of counsel. Dkt. #19. Plaintiff has filed a motion for reconsideration of that 18 order. Dkt. #21. 19 Motions for reconsideration are disfavored and should be granted only in rare 20 circumstances. See Ross v. Arpaio, No. CV 05-4177-PHX-MHM (ECV), 2008 WL 1776502, 21 at \*2 (D. Ariz. April 15, 2008); Motorola, Inc. v. J.B. Rodgers Mech. Contractors, Inc., 215 22 F.R.D. 581, 586 (D. Ariz. 2003). The arguments and evidence presented in support of the 23 instant motion do not change the Court's prior conclusion that Plaintiff has failed to 24 demonstrate a likelihood of success on the merits or that any difficulty he is experiencing in 25 attempting to litigate his case is due to the complexity of the issues involved. See Dkt. #19 at 2 (citing Wilborn v. Escalderon, 789 F.2d 1328, 1331 (9th Cir. 1986)); see also Terrell v. 26 27 Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991) (district court did not abuse its discretion by 28 refusing to appoint counsel where the plaintiff had sufficient writing ability and legal

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1	knowledge to articulate his claim, the facts alleged and issues raised were not of substantial
2	complexity, and it was not likely that he would succeed on the merits). The Court
3	accordingly will deny Plaintiff's motion.
4	IT IS ORDERED that Plaintiff's motion for reconsideration (Dkt. #21) is denied.
5	DATED this 19th day of November, 2008.
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7	Daniel G. Campbell
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9	David G. Campbell United States District Judge
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